

Public Hearing: July 25, 2005

## **F A C T   S H E E T**

**TITLE:** Resolution for Impact Fee Appeal with Brett Joseph.

**SPONSOR:**

**OTHER DEPARTMENTS AFFECTED:**

**OPPONENTS:** Public Works & Utilities

**APPLICANT:** Brett Joseph

**STAFF RECOMMENDATION:** Denial

**REASON FOR LEGISLATION:** Impact Fee Appeal

## **D I S C U S S I O N**

This application does not meet any of the stipulations required for reduction in an impact fee. According to Section 27.82.110 of the Impact Fee Ordinance, the City Council shall not waive fees unless there is a finding that the fee was incorrectly calculated or that there are unusual circumstances which demonstrate that application of the fee for the development would be unfair or unjust. Those findings do not exist in this matter.

The Impact Fee were correctly calculated based upon the Impact Fee Schedule. Appellant has filed a Building Permit, B0500416, and Impact Fee Application, IF050228, for a single family dwelling at 1445 N. 22nd Street. Lincoln Municipal Code § 27.82.050(4) provides that if a person is applying for a permit to allow a redevelopment, or modification of an existing development, the impact fee shall be based on the net increase in the fee for the new use as compared to the previous use, provided that the previous use was in operation within 15 years prior to the date of application for the redevelopment. City records indicate that the address, 1445 N 22nd Street, was abandoned water and wastewater services in the year 1970. This is 35 years prior to application for the permit.

**POLICY OR PROGRAM CHANGE:** No

**FACT SHEET PREPARED BY:**

Asst. Public Works/Utilities Business Manager

**REVIEWED BY:**

Director of Public Works/Utilities